



**Town of Arlington, Massachusetts**  
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## **Warrant, 2002 Town Meeting, final version**

### **WARRANT FOR ANNUAL TOWN MEETING**

#### **ELECTION**

**Saturday, April 6, 2002**

#### **ANNUAL TOWN MEETING**

**Monday, April 22, 2002**

**TOWN OF ARLINGTON**

#### **TOWN WARRANT**

#### **THE COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

#### **GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several precincts in said Town on

#### **SATURDAY THE SIXTH OF APRIL 2002**

at eight o'clock in the forenoon, to act on the following articles, namely:

#### **Article 1**

To elect by ballot the following Town Officers:

- A) One Town Clerk for three years
- B) One Town Treasurer for three years
- C) Two Selectmen for three years
- D) One Assessor for three years
- E) Three School Committee Members for three years

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members as hereinafter specified:

- Precinct 1    Twelve to be elected;
- Precinct 2    Twelve to be elected;
- Precinct 3    Four for three years;
- Precinct 4    Twelve to be elected;
- Precinct 5    Twelve to be elected;
- Precinct 6    Four for three years; One for one year;
- Precinct 7    Four for three years;
- Precinct 8    Twelve to be elected;
- Precinct 9    Four for three years;
- Precinct 10    Twelve to be elected;

Precinct 11	Twelve to be elected;
Precinct 12	Four for three years;
Precinct 13	Twelve to be elected;
Precinct 14	Twelve to be elected;
Precinct 15	Twelve to be elected;
Precinct 16	Four for three years;
Precinct 17	Twelve to be elected;
Precinct 18	Twelve to be elected;
Precinct 19	Four for three years;
Precinct 20	Twelve to be elected;
Precinct 21	Four for three years;

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

Precinct 1	Thompson School, entrance on North Union Street
Precinct 2	Hardy School, entrance on Brooks Avenue
Precinct 3	Edith Fox Library, entrance on Cleveland Street
Precinct 4	Hardy School, entrance on Brooks Avenue
Precinct 5	Thompson School, entrance on North Union Street
Precinct 6	Gibbs Junior High (East), entrance on Tufts Street
Precinct 7	Gibbs Junior High (East), entrance on Tufts Street
Precinct 8	Town Hall, entrance on Massachusetts Avenue
Precinct 9	Chestnut Manor, entrance on Chestnut Terrace
Precinct 10	Town Hall, entrance on Massachusetts Avenue
Precinct 11	Bishop School, entrance on Stowcroft Road
Precinct 12	Brackett School, entrance on Eastern Avenue
Precinct 13	Stratton School, entrance on Mountain Avenue
Precinct 14	Highland Fire Station, entrance on Massachusetts Avenue
Precinct 15	Stratton School, entrance on Mountain Avenue
Precinct 16	Dallin School, entrance on Florence Avenue
Precinct 17	Highland Fire Station, entrance on Massachusetts Avenue
Precinct 18	Dallin School, entrance on Florence Avenue
Precinct 19	<b>**Veterans Memorial Rink</b> , entrance on Summer Street
Precinct 20	Park Avenue Congregational Church, entrance on Paul Revere Rd.
Precinct 21	<b>**Veterans Memorial Rink</b> , entrance on Summer Street

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Monday the 22<sup>nd</sup> day of April, 2002, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws.

**\*\*PLEASE NOTE THE TEMPORARY CHANGE IN VOTING LOCATION FOR PRECINCTS 19 AND 21 AT THE VETERANS MEMORIAL RINK WHILE THE PEIRCE SCHOOL IS UNDER CONSTRUCTION\*\***

## ARTICLE 2 REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Board of Selectmen, Finance Committee, Redevelopment Board, and other committees, commissions, and boards heretofore appointed, including, without limitation: Permanent Town Building Committee (April 23, 1969), Vision 2020 Standing Committee (June 8, 1992), School Facilities "Working Group" (May 4, 1994), ByLaw Recodification Study Committee (May 9, 1994) Millennium Celebration Committee (May 21, 1997), Telecommunications Committee (June 18, 1997), Noise Abatement Study Committee (May 11, 1998), Affordable Housing Task Force (May 3, 1999), Zoning Bylaw Review Committee (May 12, 1999), Uncle Sam Committee (May 17, 1999), Fields and Playgrounds Task Force (May 19, 1999), Maintenance Study Committee (May 1, 2000), Alewife Brook Advisory Committee (May 15, 2000), New Streets Study Committee (May 9, 2001), Community Preservation Act Study Committee (May 21, 2001), and Symmes Hospital Advisory Committee (May 21, 2001), or take any action related thereto.

(Inserted at the request of the Town Moderator)

## ARTICLE 3 APPOINTMENT OF MEASURERS OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine, or take any action related thereto.

(Inserted by the Board of Selectmen)

## ARTICLE 4 ZONING BYLAW AMENDMENT/HOME OCCUPATION

To see if the Town will vote to amend the Zoning Bylaw in Article 5, Section 5.05 in subsection c in the first sentence by deleting the words "so used" and inserting in place thereof the words "in the principal building;" and by deleting subsection "h." The use is carried

~~w ords, so used and inserting in place thereof the words, "in the principal building, and by deleting subsection b. The use is carried on strictly w ithin the principal building," and re-lettering in alphabetical order the subsections that follow , or take any other action relating thereto.~~

(Inserted at the request of the Arlington Redevelopment Board)

## **ARTICLE 5 ZONING BYLAW AMENDMENT/CATERING**

To see if the Town will vote to amend the Zoning Bylaw in Article 2, Definitions, by inserting directly after the definition for Carport two new definitions as follows:

Catering:

Provision of prepared food, and sometimes food presentation, service staff and equipment to an off-premises location.

Catering Service:

Food preparation at an establishment w hose principal use is restaurant or fast-order food establishment, in quantities in excess of individual meal offerings, intended for consumption at an off-premises site, and

in Article 5, Section 5.04, Table of Use Regulations in use 6.15 by deleting the word, "Caterer" and inserting in place thereof the word, "Catering", and

in the same section by adding at the end a new accessory use, "8.22 Catering Service" and by inserting a "Yes" in the columns labeled "R7", "B1", "B2", "B3", "B4", "B5", "PUD", and "I", or take any other action relating thereto

(Inserted at the request of the Arlington Redevelopment Board)

## **ARTICLE 6 ZONING BYLAW AMENDMENT/PROTECTION OF OPEN SPACE**

To see if the Town will vote to amend Article 11, Section 11.06 b.1,(g), by deleting the words, "except 2.09, 3.02, 4.01, 4.08 and accessory open space and recreation uses, which occupy more than 10,000 square feet of land.", or take any action related thereto.

(Inserted at the request of the Arlington Redevelopment Board)

## **ARTICLE 7 BICYCLE PARKING**

To see if the Town will vote to amend the Zoning Bylaws in Article 8, Off Street Parking and Loading Regulations, by adding a new section as follows:

### Section 8.13 Bicycle Parking

The intent of this section is to recognize and encourage the use of bicycles and other human-powered vehicles for transportation w ithin the Town of Arlington. These alternatives to motorized vehicles contribute to the safety and welfare of the town by reducing traffic and associated emissions and encouraging exercise. Bicycle parking areas w ill provide access to employment, commercial, and other travel destinations. Off-street bicycle parking shall be provided in accordance w ith the following standards:

Apartment house w ith more than eight dw ellings units one bicycle space per four dw ellings units, w ith a minimum of four spaces and a maximum of fifty spaces. All other uses one bicycle parking space per ten automobile parking spaces as required in Section 8.01 rounded up to the nearest ten.

- a. Non-residential uses allowed a reduction of the parking space requirements under Section 8.12 shall be required to provide the bicycle parking spaces in the amount of one for each ten automobile spaces for the full amount that w ould otherwise be required for such use in Section 8.01 rounded up to the nearest ten.
- b. In cases requiring a special permit, the ZBA, or in cases subject to Environmental Design Review , the ARB, may reduce required automobile parking spaces by one for each six bicycle parking spaces provided. Under no circumstances may an action under this section reduce the required number of automobile spaces by more than ten percent.
- c. The requirements of this section may be modified by special permit where there is a finding by the special permit granting authority that for the use and location, a modification w ould be in the best interest of the Town.
- d. Each bicycle parking space shall be sufficient to accommodate a bicycle 6 feet in length and 2 feet in width. Bicycle racks must be secured to the ground or a permanent wall.
  - (1) When automobile parking spaces are provided in a structure, all required bicycle spaces shall be located inside that structure or shall be located in other areas protected from the weather. Bicycle parking spaces in parking structures shall be separated from auto parking to minimize the possibility of a parked bicycle being hit by a car.

(2) Long-term bicycle parking shall be safe and secure from vandalism and theft and protected from the elements. Short-term (customer or visitor) parking should be visible and convenient to a building entrance so as to reasonably reduce the likelihood of bicycle theft.

e. Any property owner required to have bicycle parking, or any property owner wishing to offer bicycle parking may elect to establish permanent shared bicycle parking facility with any other property owner within the same block, or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

#### **ARTICLE 8 AUTHORIZATION TO DISPOSE OF LAND**

To see if the Town will vote to authorize the Selectmen to dispose of a certain parcel of land in fee simple or by easement or by any other satisfactory method to allow the passage over a certain parcel of Town owned land by privately owned vehicles to access parking at the rear of 733 Summer Street, or take any other action relating thereto.

(Inserted at the request of the Arlington Redevelopment Board)

#### **ARTICLE 9 ZONING BYLAW AMENDMENT/DEFINITION OF DUPLEX**

To see if the Town will vote to amend the Zoning Bylaw in Article 2, Definitions, by deleting the definition "Duplex House" and by inserting in place thereof the following:

##### **"Duplex:**

A building containing two dwelling units joined side by side, sharing a common wall for all or substantially all of its height and depth; that is, in which no part of one dwelling unit is over any part of the other dwelling unit. A duplex shall be considered as one (1) principal building occupying one (1) lot for the purpose of determining yard requirements or take any other action related thereto.

(Inserted at the request of the Arlington Redevelopment Board and the Zoning Bylaw Review Committee)

#### **ARTICLE 10 BYLAW AMENDMENT/SPECIAL PLACES**

To see if the Town will vote to add to the Town Bylaws a provision to provide for "Special Places" substantially as follows: "A "Special Place" shall be a property of great historical, architectural, or environmental significance to the Town, and which is so designated by a two-thirds vote of the Town Meeting" or take any action relating thereto.

(Inserted at the request of the Zoning Bylaw Review Committee)

#### **ARTICLE 11 BYLAW AMENDMENT/ DESIGNATION OF SPECIAL PLACES**

To see if the Town will vote to designate the following properties as "Special Places" for the Town of Arlington: Old Schwamb Mill, Jason Russell House, Park Circle Water Tower, Central Fire Station, St. Athanasius the Great Greek Orthodox Church, and Butterfield-Whittemore House, or take any action relating thereto.

(Inserted at the request of the Zoning Bylaw Review Committee)

#### **ARTICLE 12 ZONING BYLAW AMENDMENT/ HEIGHT OF BUILDING**

To see if the Town will vote to change the definition of "Height of Building" in Section 2.01 of the Arlington Zoning Bylaw by deleting the present definition and inserting in place thereof the following:

"The vertical distance of the highest point of the roof above the average grade of the curb line abutting the property. This definition excludes penthouse, bulkheads, and other allowable superstructures above the roof line," or take any other action relating thereto.

(Inserted at the request of the Zoning Bylaw Review Committee)

#### **ARTICLE 13 ZONING BYLAW AMENDMENT/ MAXIMUM HEIGHT**

To see if the Town will vote to change Section 6.0, Table of Dimensions and Density Regulations, pages 49 and 50, of the Arlington Zoning Bylaw to revise the allowable height columns as they relate to the B2A Zone to read substantially as follows: (Change from figures in parenthesis)

Maximum Height

	Stories	Feet
		25

Apartment on street < 50 feet	$2 \frac{1}{2}$ (3)	35
Apartment on street > 50 feet	$2 \frac{1}{2}$ (4)	35 (40)
Any other permitted use	$2 \frac{1}{2}$ (3)	35

or take any other action related thereto.

(Inserted at the request of the Zoning Bylaw Review Committee)

## **ARTICLE 14 ZONING BYLAW AMENDMENT/ ENVIRONMENTAL DESIGN REVIEW**

To see if the Town will vote to amend the Zoning Bylaw (the proposed changes are underlined) as follows:

### Section 11.06 Environmental Design Review

a. Purpose. The purpose of this section is to provide individual detailed review of certain uses and structures that have a substantial impact upon the character of the town and of the neighborhood where development is proposed. The environmental design review process is intended to promote the specific purpose listed in Section 1.03 of this Bylaw. For the purpose of implementation of this Section, the Arlington Redevelopment Board (ARB) is designated as the Special Permit Granting Authority in accordance with the provisions of Chapter 40A, Section 1.

b. APPLICATION.

1. In any instance where a new structure, or a new outdoor use, or an exterior addition or a change in use, a) requires a building permit, b) is subject to a special permit in accordance with Section 5.04, Table of Use Regulations, or alters the façade in a manner that affects the architectural integrity of the structure, and c) is one of the uses included in subparagraphs (a), (b), (c), (d), (e), (f), (g), or (h) below, the aforementioned special permit shall be acted upon by the ARB in accordance with the environmental design review procedures and standards hereinafter specified.

(a) Construction or reconstruction on a site abutting

Massachusetts Avenue

Pleasant Street

Mystic and Medford Streets between Massachusetts Avenue and Chestnut Street

Broadway

The Minuteman Bikeway

(b) Six (6) or more dwelling units on the premises, whether contained in one or more structures

(c) Gasoline service stations

(d) Lodging house, bed and breakfast, bed and breakfast home or a rehabilitation residence with more than 5,000 square feet of gross floor area or with 10 (ten) or more parking spaces

(e) Nonresidential uses and hotels or motels in a nonresidential district with more than 10,000 square feet of gross floor area or with 20 (twenty) or more parking spaces

(f) Nonresidential uses in a residential district with more than 5,000 square feet of gross floor area or with 10 (ten) or more parking spaces

(g) Outdoor uses, except 2.09, 3.02, 4.01, 4.08 and accessory open space and recreation uses, which occupy more than 10,000 square feet of land

(h) Wireless communication facility

2. Any use permitted as a right or by special permit in the Planned Unit Development District shall be subject to the environmental design review procedures and standards hereinafter specified.

3. The environmental design review procedures and specified standards will be applied in any instance where a new structure or a new use, or an exterior addition or alteration is proposed to a designated "special place", to property abutting a "special place", or to located within 200 feet of the property lines of a "special place." A "special place" is designated in the Bylaws of the Town of Arlington, voted by Town Meeting as a property of singular significant importance to the character or heritage of the town, or the State, or the nation.

c. PERMIT AND PROCEDURE. The ARB shall review the required submittals and may grant a special permit subject to the conditions and safeguards listed in Section 10.11 b. The site plan shall be subject to the standards listed in Section 11.06, f

and the ARB shall make a determination that the project meets these standards. The ARB for stated reasons may deny approval of a special permit.

*Before granting a special permit, the ARB shall hold a public hearing in accordance with MGL Chap. 40A, Section 11 "Notice for Public Hearing". The ARB shall make a copy of the submitted materials immediately available to the Department of Planning and Community Development which shall have an opportunity to prepare written reports with recommendations to be submitted to the ARB before or at the public hearing. The failure of the Department of Planning and Community Development to submit written reports or to give an oral report at the public hearing shall not invalidate action by the ARB. A favorable decision by the ARB shall require the votes of at least four members of the ARB.*

1. Uses subject to the provisions of this section may be allowed by special permit. Any person desiring such a permit shall submit an application to the ARB in accordance with the application procedure for special permits, as presented in Article 10, Section 10.11. A copy of the application with any accompanying plans, photographs, or sign permit applications shall be submitted at the same time to the Department of Planning and Community Development.
2. Planned Unit Development District.  
Every developer in a Planned Unit Development district shall file an application for an environmental design review. The application shall include the material listed in Section 11.06 d, as well as the following:
  - (a) The plans shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the building(s), setbacks, and all other required dimensions, elevations, and measurements. The plan must be signed under the penalties of perjury.
  - (b) The corner points of the lot (or lots under common ownership) and the change of direction of shall be marked by stone monuments or other permanent marker.
3. "Special Place".  
The developer in this category shall file an application for an environmental design review, as detailed in Section 11.06, d. Required Submittals. Copies of the application and supporting material will be submitted to the Arlington Historic Commission and, where applicable or appropriate, to the relevant Historic District Commission, for review and comments. The Commission(s) will serve in an advisory capacity. The comments of the Commission must be submitted to the ARB within 35 calendar days of the ARB receipt of application; if Commission(s) fails to submit written report or give oral report at public hearing, this will be considered as not objecting to the developer's plans.
- d. Required Submittals. The applicant should submit 7 copies of all material to be reviewed -- one for each member of the ARB, one for the Town Clerk, and one for Planning Staff. Additional copies for Historic Commission(s) will be required in cases of Special Places -- Section 11.06 b.3. If a model is required, only one model need be submitted, unless the ARB requests otherwise. The ARB may request greater or lesser detailed material, as individual project review requires. In addition to the site plan required for special permits in Section 10.11 c of this Bylaw, the application shall be accompanied by the following:

1. Model. An inexpensive study model or final presentation model at a minimum scale of 1"=40' showing the tract, abutting streets, proposed contours, proposed building, and the massing of abutting buildings. (Not required for additions, alterations, or changes in use, which increase gross floor area by less than 100 percent.)
2. Drawing of Existing Conditions. A drawing (at a minimum of 1"=20' unless another scale is found suitable by the Department of Planning and Community Development) showing the location, type, size, or dimension of existing trees, rock masses, existing topography at two (2) foot contours, and other natural features with designations as to which features will be retained. In order to meet the conditions for approval of a special permit, all existing trees, rock masses, and other natural features shall be retained until a special permit is approved.
3. Drawing of Proposal.
  - (a) Structure: a drawing including color and type of surface materials showing front and rear elevations, and side elevations where there are no adjoining building, and floor plans.
  - (b) Landscape: a drawing showing the location, dimensions, and arrangements of all open spaces and yards, including type and size of planting materials, color and type of surface materials, methods to be employed for screening, and proposed topography at two (2) foot contours.

4. Photographs. Photographs showing the proposed building site and surrounding properties, and or the model (if required). Applications for alterations and additions shall include photographs showing existing structure or sign to be altered and its relationship to adjacent properties.

5. Impact Statement. Statement by applicant with explanation of how each of the environmental design review standards (Article 11.06, f.) is incorporated into the design of the proposed development. Where a particular standard is not applicable, a statement to that effect will suffice. An environmental impact statement prepared in accordance with State or Federal regulations may be accepted as a substitute in lieu of this statement.

6. Application for permit and accompanying plans as specified under Section 10.05 for each sign that is to be erected on the proposed structures (s).

e. Arlington Redevelopment Board Procedure. Within ten (10) days of receipt of application material, the ARB will refer the proposal and model thereof (if required) to the Department of Planning and Community Development, which for the Department of Planning and Community Development shall evaluate the proposed use on the basis of the standards set forth in paragraph f of this section and Section 10.11a using outside consulting services when appropriate, and shall submit its findings and recommendations to the ARB in a design review report which specifically addresses each standard individually.

The ARB shall not take final action on an application for a special permit under this section until it has received the design review report or until 30 days have elapsed after submittal of said proposal to the Department of Planning and Community Development.

***The ARB shall not deny a special permit required by this section unless it finds that the proposed use or structure does not comply with the standards listed in paragraph f resulting in a substantial adverse impact upon the character of the neighborhood in which the use or structure is proposed, or of the town, and upon traffic, utilities, and public or private investments therein, thereby conflicting with the purposes of the Zoning Bylaw.***

f. ENVIRONMENTAL DESIGN REVIEW STANDARDS. (*This section is unchanged.*)

Or take any action related thereto.

(Inserted at the request of the Zoning Bylaw Review Committee)

#### **ARTICLE 15 ZONING BYLAW AMENDMENT/SIGNS**

To see if the Town will vote to exempt non-profit entities from the regulations concerning signs as same appear in both the general by-laws of the Town and the zoning by-laws of the Town so as to permit such entities to utilize property in the Town, including Town owned property for fund raising purposes in advancement of their charitable purposes, to amend the general and zoning by-laws accordingly, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 16 ZONING BYLAW AMENDMENT/ CONSTRUCTION FLOODING CORRECTIONS**

To see if the Town will vote to amend the general or zoning bylaw of the Town to require that any developer building more than ten units of housing or a commercial structure within two hundred yards of an existing stream or wetland, be required to post by a proper bond, or deposit of money or negotiable securities in lieu of a bond, ensuring their responsibility to secure performance to correct any flooding condition that may have existed prior to the related construction and or any flooding condition created as a result of said construction.

Said bond will be held in effect for a period of five years and will be in an amount of no less than twenty percent of the permit application's stated value and will be held until such time as the expiration of a five-year period without any Town or abutters claims against the applicant's bond for any flooding occurring during that period, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 17 BYLAW AMENDMENT/WETLANDS PROTECTION**

To see if the Town will vote to amend the Town Bylaw's Title V, Article 8 and the Conservation Commission Town Wetlands Bylaw Regulations Section 17, 18, 19 to reflect that any formerly connected wetland that has become hydrologically isolated due to human activities and is presently drained of its surface waters by man-made, subterranean drainage systems, be de facto classified as a connected, not isolated wetland and be subject to the most stringent possible wetland protection accorded to that classification, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

**ARTICLE 18 RESOLUTION/CHAPTER 40B****AFFORDABLE HOUSING DEVELOPMENTS**

To see if the Town will vote to adopt the following resolution:

WHEREAS, the Town of Arlington, through its elected and appointed officials, has made the objective of providing affordable housing solutions a high priority, and

WHEREAS, the Town of Arlington recognizes that Massachusetts General Law Chapter 40B was enacted by the State Legislature with an intent of creating more opportunities for the development of affordable housing, and

WHEREAS, in various communities, developers have used the threat of a 40B development as a means to gain concessions from the community and not as a means to provide additional affordable housing, and

WHEREAS, the Town of Arlington has added to its bylaws a requirement that all residential developments in excess of 6 units must include a minimum of 15% units designated as affordable,

It is therefore RESOLVED, that the Town of Arlington believes that Chapter 40B is not an effective means of addressing the affordable housing problem in Massachusetts, and that the Massachusetts Legislature should amend Chapter 40B by (a) restoring more control to the local community regarding height, density, and parking, and (b) providing exclusions for communities who take initiatives with their own bylaws to provide affordable housing, and (c) that any building permit that is granted by a local community after a 40B development is threatened must include a minimum of 25% units designated as affordable, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

**ARTICLE 19 REQUEST FOR LEGISLATION/SYMMES HOSPITAL SITE**

To see if the Town will vote to authorize and request the Board of Selectmen to file a Home Rule Petition which would permit the Town to use revenues generated to the Town by rents, license fees, or proceeds from a sale of any or all of the site to be utilized to pay off bond indebtedness associated with the acquisition and maintenance of the site, and when such indebtedness has been retired then any additional revenues will be dedicated to reducing the tax rate in an amount sufficient to offset the additional taxes levied to pay for the acquisition and maintenance of the site; and further that the Selectmen are requested and authorized to file a Home Rule Petition which would establish an independent authority with all of the prerogatives, powers and responsibilities of an operating agency as same is defined under Chapter 121B of the General Laws so that such an agency may take jurisdiction, control and ownership of the Symmes site, or take any action related thereto.

(Inserted by the Board of Selectmen)

**ARTICLE 20****REQUEST FOR LEGISLATION/ FIRE AND POLICE SERVICES**

To see if the Town will vote to authorize and request the Selectmen to file a Home Rule Petition to clarify that the positions of the heads of Departments of Police Services and Fire Services in the Town are subject to the Civil Service Laws under Chapter 31 of the Massachusetts General Laws and that the incumbents presently occupying those positions are to be considered as duly appointed and constituted under the provisions of said law, or to take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

**ARTICLE 21 ACCEPTANCE OF LEGISLATION/ ROOM OCCUPANCY EXCISE**

To see if the Town will vote to accept the appropriate provisions of Massachusetts General Laws Chapter 64G, Room Occupancy Excise, to determine the rate of the tax to be imposed upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, or motel located within the Town, or to take any action related thereto.

(Inserted at the request of the Finance Committee)

**ARTICLE 22 PROCUREMENT OF FUEL EFFICIENT TOWN VEHICLES**

To see if the Town will vote that when the Town of Arlington purchases motor vehicles for its municipal operations, each vehicle purchased must be the most fuel-efficient model available that will fulfill the intended municipal function; provided that the vehicle also meets other normal procurement criteria, including price and reliability, to amend the bylaw to accomplish same if appropriate, or take any action related thereto.

(Inserted at request of Sustainable Arlington Committee of Environment Task Group/Vision 2020 and 10 Registered Voters)

**ARTICLE 23 BYLAW AMENDMENT/  
SPECIAL TRASH COLLECTION FEES**

To see whether the Town will vote to modify the Town Bylaws by adding a provision requiring a fee of \$15.00 for pickup of white goods (i.e., major household appliances, water heaters, and air conditioners) and items containing Cathode Ray Tubes (CRTs) (i.e., televisions and computer monitors) by the Town, replacing the previously enacted provision for items with CRTs, or take any action

related thereto.

(Inserted at the request of 10 Registered Voters)

**ARTICLE 24****DIRECTION TO COMMITTEE/ COMMUNITY PRESERVATION ACT**

To see if the Town will direct the Community Preservation Act Study Committee to work with the Capital Budget Committee and the Redevelopment Board to develop an addendum to the Capital Plan that will include projects that would be funded by Community

Preservation Act revenues when the Community Preservation Act is accepted by the Town and further, to see if the Town will accept the provisions of the Community Preservation Act, or take any action related thereto.  
 (Inserted at the request of 10 Registered Voters)

#### **ARTICLE 25 RELEASE OF DEED RESTRICTIONS/WATER STREET**

To see if the Town will vote to authorize the Board of Selectmen to release certain conditions contained in a deed from the Town for certain property off of Water Street as authorized in a vote under Article 66 of the 1972 Town Meeting, or to take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 26 BYLAW AMENDMENT/ENFORCEMENT OF FEES/ BOARD OF HEALTH**

To see if the Town will vote to amend Title IX, Enforcement of Fees, in Section 5A Board of Health of Article 3 by reducing the \$500.00 fee for tobacco vendors or to take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 27 BYLAW AMENDMENT/TOWN MEETING TIME**

To see if the Town will vote to amend the bylaws to change all references to the 1962 edition of *Town Meeting Time* into references to the 1984 and/or 2001 editions of *Town Meeting Time*, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 28 BYLAW AMENDMENT/ FINANCIAL INTEREST DISCLOSURE**

To see if the Town will vote to amend the bylaws to require that speakers before Town Meeting disclose any direct financial interest they have in the matter they are discussing, or take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 29 ENDORSEMENT OF CDBG APPLICATION**

To see if the Town will vote to endorse the application for Federal Fiscal Year 2003 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383) as amended, or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

#### **ARTICLE 30 AUTHORITY TO FILE FOR GRANTS**

To see if the Town will vote to give the Town Manager, the Board of Selectmen, the Superintendent of Schools, and the School Committee, the general authority to file applications and to accept grants from the Federal Government, the Commonwealth of Massachusetts and/or any grant-making organization/body during Fiscal Year 2003, or take any action related thereto.

(Inserted at the request of the Town Manager and the Superintendent of Schools)

#### **ARTICLE 31 EARLY RETIREMENT**

To see if the Town will vote to accept any permissive legislation related to retirement changes and/or Early Retirement, or take any action related thereto.

(Inserted at the request of the School Committee and the Superintendent of Schools)

#### **ARTICLE 32 EDUCATION REFORM**

To see if the Town will vote to accept any permissive legislation relative to education reform and/or to apply and accept any educational funds as appropriated by the legislature, or take any action related thereto.

(Inserted at the request of the School Committee and the Superintendent of Schools)

#### **ARTICLE 33 SPECIAL EDUCATION**

To see if the Town will vote to accept any permissive legislation concerning special needs students, or take any action related thereto.  
 (Inserted at the request of the School Committee and the Superintendent of Schools)

#### **ARTICLE 34 APPROPRIATION/LAND ACQUISITION ESTABLISH MUNICIPAL LIGHT AND POWER COMPANY**

To see if the Town will vote to accept the applicable provisions of the Massachusetts General Laws including without limitation Chapter 164 relating to the establishment of a municipal light and power company, to authorize the Selectmen or other appropriate agency to take by eminent domain or purchase or lease that property which is owned by existing electrical and power companies doing business in the Town, appropriate a sum of money to fund such an acquisition including the possibility of borrowing all or part of such funds, to determine how the money will be raised and expended, to authorize ballot questions to seek the approval of the electorate, or to take any action related thereto.

(Inserted at the request of 10 Registered Voters)

#### **ARTICLE 35 ARLINGTON RESERVOIR**

To see if the Town will vote to establish goals and a management structure and plan for the Arlington Reservoir area in order to protect

To see if the Town will vote to establish goals and management structure and plan for the Arlington Reservoir area, in order to protect its ecosystem and uses, or take any other action relating thereto.

(Inserted at the request of Reservoir Committee of the Vision 2020 Environment Task Group and Vision 2020 Standing Committee)

### **ARTICLE 36 UNCLE SAM TRUST**

To see if the Town will vote to amend the vote under Article 49 of the 1999 Annual Town Meeting to do all things necessary to establish a charitable trust to be named The Uncle Sam Birthplace Trust, the purposes of which are, without limitation, to create a greater public appreciation and understanding of Samuel Wilson/Uncle Sam, and the effect of his life and role as our National Symbol; to aid in the preservation of the Uncle Sam Statue; to establish, develop and maintain a facility to hold artifacts related to Uncle Sam, etc., or take any action related thereto.

(Inserted at the request of The Uncle Sam Committee)

### **ARTICLE 37 REVOLVING FUNDS**

To see if the Town will vote the following:

A. Private Way Repair - to reauthorize the revolving fund established under Article 46 of the 1992 Annual Town Meeting relating to defraying the cost of private way repairs, to hear or receive a report concerning the receipts and expenditures of same; to appropriate a sum of money to augment existing funds, and determine how the money shall be raised and expended;

B. Public Way Repair - to reauthorize the revolving fund established under Article 45 of the 1992 Annual Town Meeting relating to the maintenance of public ways; to hear or receive a report concerning the receipts and expenditures of same;

C. Fox Library - to reauthorize the revolving fund established under Article 49 of the 1996 Annual Town Meeting relating to the Fox Library and Community Center; to hear or receive a report concerning the receipts and expenditures of same;

D. Robbins House - to reauthorize the revolving fund established under Article 77 of the 1997 Annual Town Meeting relating to the Whittemore-Robbins House; to hear or receive a report concerning the receipts and expenditures of same;

E. Conservation Commission - to reauthorize the revolving fund established under Article 44 of the 1996 Annual Town Meeting relating to consultant fees charged by the Conservation Commission; to hear or receive a report concerning the receipts and expenditures of same;

F. Tuition Payments to reauthorize the revolving fund established under Article 34 of the 1999 Annual Town Meeting relating to grants or reimbursements paid by another governmental entity including tuition payments of U.S. citizen students; to hear or receive a report concerning the receipts and expenditures of same;

G. All Day Kindergarten - to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for all day kindergarten under the auspices of the School Department, to hear or receive a report concerning the receipts and expenditures of same;.

H. Uncle Sam to reauthorize the revolving fund established under Article 31 of the 2000 Annual Town Meeting for the Uncle Sam program that promotes Arlington as the "Birthplace of Uncle Sam" under the auspices of the Uncle Sam Committee, to hear or receive a report concerning the receipts and expenditures of same;

I. Hardy After School Program to reauthorize the revolving fund established under Article 51 of the 2001 Annual Town Meeting for the after school program at the Hardy School, to hear or receive a report concerning the receipts and expenditures of same;

J. Life Support Services to reauthorize the revolving fund established under Article 6 of the May, 2001 Special Town Meeting for basic life support and advanced life support services which provides for billing and payment to other entities in the Town to take account of new Medicare regulations; to hear or receive a report concerning the receipts and expenditures of same;

To appropriate a sum of money for same, determine how the money shall be raised and expended; or take any action related thereto.  
(Inserted by the Board of Selectmen)

### **ARTICLE 38 PROGRAM**

#### **ACCEPTANCE OF LEGISLATION/ EARLY RETIREMENT INCENTIVE (ERI)**

To see if the Town will vote to accept any legislation related to retirement changes and/or an Early Retirement Incentive (ERI) Program; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

### **ARTICLE 39 APPROPRIATION/PENSION ADJUSTMENT FOR RETIREES**

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of the General Laws, Section

To see if the Town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of the General Laws, Sections 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the classification and pay plan for the position formerly held by retirees of the Town, and in accordance with prior practice and understanding of the Town relating to the pension adjustment of former employees, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

#### **ARTICLE 40 RATIFICATION OF VOTE/SUPPLEMENTAL APPROPRIATION/ INCREASED DEPENDENT ALLOWANCE**

To see if the Town will vote to ratify the action of the Contributory Retirement Board, which voted to accept the provisions of General Laws Chapter 32, Section 7, Subsections (2) (a) (iii), and General Laws Chapter 32, Section 9, Subsections (2) (d), providing a mechanism for increasing the cost of living allowances paid for dependents of disability retirees and dependents of members who die as the result of a job-related injury, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

#### **ARTICLE 41 COLLECTIVE BARGAINING/LOCAL 680**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by Local 680, American Federation of State, County and Municipal Employees, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 42 COLLECTIVE BARGAINING/NAGE**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by Local 113, National Association of Government Employees, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 43 COLLECTIVE BARGAINING/LIBRARY PROFESSIONALS**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by the Robbins Library Professional Association, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 44 COLLECTIVE BARGAINING/LOCAL 1297 FIREFIGHTERS**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by Local 1297, International Association of Firefighters, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 45 COLLECTIVE BARGAINING/PATROLMEN**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective agreement between the Town and that collective bargaining unit represented by the Arlington Police Patrolmens Association, determine how the money shall be raised, transferred and/or expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 46 COLLECTIVE BARGAINING/RANKING POLICE OFFICERS**

To see if the Town will vote to fund any fiscal items in the event that any are contained in a collective bargaining agreement between the Town and that collective bargaining unit represented by the Ranking Police Officers Association, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 47 M SCHEDULE AND NON-UNION EMPLOYEES**

To see if the Town will vote to appropriate a sum of money to fund salary or fringe benefit increases for those employees who occupy a position in Schedule M of the Compensation and Pay Plan or who are non-union Town side employees, amend the Compensation and Pay Plan accordingly, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 48 SALARY ADJUSTMENT/ELECTED OFFICIALS**

To see if the Town will vote to appropriate a sum of money in order to adjust the salaries or fringe benefits of certain elected officials, including the Town Clerk and Town Treasurer, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted by the Board of Selectmen)

**ARTICLE 49 FUNDING FUTURE COLLECTIVE BARGAINING**

To see if the Town will vote to carry over a sum of money left unexpended at the end of Fiscal Year 2002 in Town budgets in order to establish a reserve for funding future collective bargaining agreements, to appropriate a sum of money for same, determine how the money will be raised or expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

**ARTICLE 50 POSITIONS RECLASSIFICATION**

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same if necessary, determine how the money will be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager and Personnel Director)

**ARTICLE 51 APPROPRIATION/TOWN BUDGETS**

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended, or take any action related thereto:

Finance Committee, Board of Selectmen, Town Manager, Personnel, Comptroller, Data Processing, Town Treasurer and Collector of Taxes, Assessors, Legal and Worker's Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Highway, Snow and Ice Removal, Engineering, Properties, Natural Resources, Cemeteries and Sanitation, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

**ARTICLE 52 APPROPRIATION/CAPITAL PROJECTS AND DEBT**

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended, or take any action related thereto.

(Inserted by the Board of Selectmen, and at the request of the Town Manager and the Capital Planning Committee)

**ARTICLE 53 RESCIND AUTHORITY TO BORROW**

To see if the Town will vote to rescind the authority to borrow the amounts remaining with regard to the following numbered Annual Town Meeting Warrant Articles:

ARTICLE	YEAR	AMOUNT	PROJECT
91	1997	\$1,579	Appropriation/Capital Projects and Debt
47	1998	\$120	Appropriation/Capital Projects and Debt
45	2000	\$16,000	Appropriation/Capital Projects and Debt
69	2001	\$500	Appropriation/Capital Projects and Debt
69	2001	\$200	Appropriation/Capital Projects and Debt

The total amount to be rescinded from the above-numbered Articles is \$18,399; or take any action related thereto.

(Inserted at the request of the Town Treasurer)

**ARTICLE 54 APPROPRIATION/MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL**

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School, determine how the money shall be raised and expended, or take any action related thereto.

(Inserted at the request of the Minuteman Regional Vocational School District Committee)

**ARTICLE 55 APPROPRIATION/COMMITTEES AND COMMISSIONS**

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Personnel Board, Public Memorial Committee, Human Rights Commission, and any other Town committee or commission, or take any action related thereto.

(Inserted at the request of the Town Moderator and the Finance Committee)

#### **ARTICLE 56 TRANSFER OF FUNDS/CONSERVATION COMMISSION**

To see if the Town will vote to transfer funds from the Receipt Reserve account of the Conservation Commission, established at Town Meeting in 1990, to the budget of the Conservation Commission for fiscal year 2003, or take any action related thereto.

(Inserted at the request of the Conservation Commission)

#### **ARTICLE 57 BYLAW AMENDMENT/WETLANDS PROTECTION**

To see if Town Meeting will amend Article 8 of Title V of the Towns Bylaws, Wetlands Protection, to clarify that the applicant rather than the Commission is responsible for providing by mail notice of the time and place of public hearings, and to clarify and increase the consultant fees the Commission may charge to an applicant, or take any action thereto.

(Inserted at the request of the Conservation Commission)

#### **ARTICLE 58 BYLAW AMENDMENT/ENLARGEMENT OF PLEASANT STREET HISTORIC DISTRICT**

To see if the Town will vote to enlarge the Pleasant Street Historic District, established by vote under Article 32 of the 1988 Annual Town Meeting (By-laws, Title VII, Article 1, Section 4) by adding thereto the land and buildings now known as and numbered 7, 11, 12, 14, 16, and 17 Pelham Terrace, and 30 Academy Street (formally called 20 Pelham Terrace), said properties being bounded and described as follows:

Beginning at a point in the southeasterly corner of the rear property line of the property numbered 12 Pelham Terrace, said point abutting the Pleasant Street Historic District, thence going northwesterly along the rear lot lines of the properties numbered 12, 14 and 16 Pelham Terrace a distance of 208.15 feet to a point at the southeasterly corner of the property numbered 30 Academy Street, thence continuing northwesterly among the southerly lot line of the property numbered 30 Academy Street a distance of 122+/- feet to a point at the rear property line of the property numbered 32 Academy Street, thence going northeasterly along said lot line a distance of 60.0 feet to a point, thence going northwesterly along said lot line of the property numbered 32 Academy Street a distance of 10.0 feet to a point, thence going northerly and Northwesterly on two courses along said lot line of the property numbered 32 Academy Street distances of 74.24 feet and 83.58 feet to the easterly sideline of Academy Street, thence continuing northeasterly along the easterly sideline of Academy Street a distance of 20.75 feet to a point, thence going southeasterly along the southerly sideline of the property numbered 28 Academy Street distances of 75.05 feet and 65.20 feet to a point, thence going northeasterly along the rear lot line of the property numbered 28 Academy Street a distance of 48.35 feet to a point on the northerly sideline of said property, thence going southeasterly on the northerly sideline of the property numbered 30 Academy Street and along the rear property line of the properties numbered 17, 11 and 7 Pelham Terrace a distance of 341.97 to a point on the existing Pleasant Street Historic District line and the rear lot line of the property numbered 93 Pleasant Street, thence going southwesterly along the rear lot line of said property a distance of 26.0 feet to a point, thence going southeasterly along the same lot line a distance of 16.97 feet to a point, thence continuing southwesterly along the same lot line and across Pelham Terrace, distances of 63.36 feet and 40.0 feet to a point on the southerly sideline of Pelham Terrace, a distance of 25 feet+/- to a point at the northeasterly sideline of the property numbered 12 Pelham Terrace, thence going southwesterly along said sideline a distance of 100.97 feet to the point of beginning. As shown on a Plan entitled "Pelham Terrace Historic District Expansion, Arlington, Massachusetts" by Richard A. Bento, Town Engineer, December 2001,

and to amend the Bylaws accordingly, or take any action related thereto.

(Inserted at the request of the Arlington Historic District Commissions)

#### **ARTICLE 59 RIGHT OF FIRST REFUSAL/MT. PLEASANT CEMETERY**

To see if the Town will vote to authorize the Board of Selectmen and/or the Town Manager to enter into agreements with individuals who own property near the Mount Pleasant Cemetery so that the Town would obtain a Right of First Refusal, by which the Town would secure an option to purchase property from such individuals for cemetery expansion purpose, to appropriate a sum of money to fund same, including the possibility of borrowing; to determine how the money will be raised and expended, or to take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 60 APPROPRIATION/TOWN CELEBRATIONS, ETC.**

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised, or take any action related thereto:

- A. Seasonal Lighting
- B. Veterans Day Parade, Memorial Day Observation and the Patriots' Day Celebration
- C. 2002 Town Day Celebration
- D. Display of American Flags on Massachusetts Avenue
- E. Placing of American Flags on the Graves of Veterans

(Inserted at the request of the Town Manager)

#### **ARTICLE 61 APPROPRIATION/MISCELLANEOUS**

To see if the Town will vote the following:

- A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title I of the Town Bylaws,
- B. Unemployment Compensation - To appropriate a sum of money to be expended under the direction of the Town Manager for the Unemployment Compensation Program,
- C. Out-Of-State Travel - To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager,
- D. Revaluation - To appropriate a sum of money to fund the cost of a revaluation of Town property,
- Indemnification of Medical Costs - To appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred,

determine how the money will be raised and expended, or take any action related thereto.

(Inserted at the request of the Town Manager)

#### **ARTICLE 62 AUTHORIZATION TO PURCHASE LAND**

To see if the Town will vote to authorize the Selectmen to acquire by gift or purchase or eminent domain two certain parcels of land located between Reed Street and the Arlington / Lexington town line and shown as Parcel "A" and Parcel "Map 109, Block 1, Lot 10" on a plan entitled "Easement Plan Reeds Brook, Arlington, MA" by Holden Engineering dated January 29, 1998, to appropriate a sum of money to fund such acquisition, determine how the money will be raised and expended including the possibility of borrowing all or some of same, or take any action related thereto.

(Inserted at the request of the Arlington Redevelopment Board)

#### **ARTICLE 63 APPROPRIATION/HARDY SCHOOL**

To see if the Town will vote to appropriate a sum of money to augment previous appropriations for the construction, reconstruction or renovation of the Hardy School, or to take any action related thereto.

(Inserted at the request of the Permanent Town Building Committee)

#### **ARTICLE 64 APPROPRIATION/ATHLETIC FACILITY**

To see if the Town will vote to fund the construction of an athletic facility at the site of the former practice soccer field off of Grove Street, including a plan for the bonding such construction, and further to establish a special account to receive contributions from the industrial parties as provided for in a certain agreement between the industrial parties and the Town as approved at the 2001 Annual Town Meeting, to amend the vote under Article 2 of the May 2, 2001 Special Town Meeting, to authorize the Selectmen to file a home rule petition if same is necessary to provide for such an account or otherwise to establish a mechanism for receiving such funds in order to defray the initial debt service obligations related to this construction, determine how the money will be raised and expended, including the possibility of borrowing any or all of same, or take any action related thereto.

(Inserted at the request of the School Committee)

#### **ARTICLE 65 APPROPRIATION/PEIRCE FIELD ASSESSMENT COSTS**

To see if the Town will vote to appropriate a sum of money to fund the remaining Town obligation for assessment of contaminants on the Peirce Field, to determine how the money will be raised and expended including the possibility of borrowing any or all of same, or take any action related thereto.

(Inserted at the request of the Superintendent of Schools and Town Counsel)

#### **ARTICLE 66 APPROPRIATION/TRANSPORTATION STUDY**

To see if the Town will vote to appropriate a sum of money to fund a Town-wide study to examine transportation issues including without limitation the impact of increasing traffic volume and parking issues throughout all neighborhoods in the Town, determine how the money will be raised and expended, including the possibility of borrowing, or take any action related thereto.

(Inserted at the request of the Selectmen's Transportation Advisory Committee)

**ARTICLE 67 APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing, or take any action related thereto.  
 (Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE 68 APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended including the possibility of borrowing, or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

**ARTICLE 69 APPROPRIATION/RETIREE HEALTHCARE TRUST FUND**

To see if the Town will appropriate a sum of money to the Healthcare Trust Fund as established by Chapter 12 of the Acts of 1998, and to accept into said trust fund a transfer of funds and/or additional moneys that the Town may deem advisable from other sources in order to fund its healthcare obligations, determine how the money shall be raised and expended, or take any action related thereto.  
 (Inserted at the request of the Town Treasurer and the Finance Committee)

**ARTICLE 70 APPROPRIATION/TIP FEE STABILIZATION FUND**

To see if the Town will vote to make an appropriation/transfer from the Tip Fee Stabilization Fund established by Chapter 8 of the Acts of 1998 for any purpose allowed by such act, to determine how the money will be raised and expended, or take any action related thereto.  
 (Inserted at the request of the Finance Committee)

**ARTICLE 71 TRANSFER OF FUNDS/CEMETERY**

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves Fund", or take any action related thereto.

(Inserted at the request of the Finance Committee)

**ARTICLE 72 APPROPRIATION/OVERLAY RESERVE**

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made, or take any action related thereto.

(Inserted at the request of the Finance Committee)

**ARTICLE 73 USE OF FREE CASH**

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2002, or take any action related thereto.

(Inserted at the request of the Finance Committee)

**ARTICLE 74 APPROPRIATION/PEIRCE SCHOOL**

To see if the Town will vote to appropriate a sum of money to augment previous appropriations for the construction, reconstruction or renovation of the Peirce School, or -to take any action related thereto.

(Inserted at the request of the Permanent Town Building Committee)

[VOTED: That the Town does hereby appropriate the additional sum of \$173,000 to supplement the monies appropriated under Article 3 of the Special Town Meeting commenced on April 26, 2000 to supplement the appropriation for the new Pierce School for a total appropriation of \$10,278,000 and to raise this additional appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$173,000 under and pursuant to Chapter 44, Section 7 or Chapter 70B of the Massachusetts General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor, such funds to be expended under the direction of the Permanent Town Building Committee.

[COMMENT: This appropriation is to cover the final costs of the Peirce School. These resulted from unexpected additional structural work and financing costs.]

Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, on or before said day and hour of meeting.

(SIGNED)

A true copy.

Attest:

RICHARD T. BOYLE  
CONSTABLE

(SIGNED)

CHARLES LYONS

DIANE M. MAHON

KEVIN F. GREELEY

KATHLEEN KIELY DIAS

JOHN W. HURD

SELECTMEN

OF THE

TOWN

OF

ARLINGTON

#### **HOW TO VOTE BY ABSENTEE BALLOT**

##### **Reasons for voting absentee**

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

- Absence from the Town
- Physical disability
- Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$500 and up to a year in prison.

##### **Applying for an absentee ballot**

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

- your name as registered
- your registration address
- precinct, if you know it
- the precise address to which you wish the ballot sent
- your own signature

##### **Requesting to vote by mail**

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and returned by mail.

##### **Requesting to vote in person**

If you prefer, you may request to vote in person before Election day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

##### **Applying to vote if you are absent from the state, in the armed services or a prisoner**

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the

student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

#### **What if I am permanently physically disabled?**

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with your Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

**NOTE:** Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.

**Source for this document: Office of the Board of Selectmen**